

TROJAN HORSE

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Board, decided also on Apr. 30, 1956, the Court gratified the highest hopes of the Party. After the SACB had ordered the Party to register, the Party claimed that the testimony of Paul Crouch, Manning Johnson and Harvey Matusow before the SACB was perjurious. The government and the Court of Appeals deemed the unchallenged testimony sufficient to sustain the SACB's order. The Supreme Court reversed the Court of Appeals and remanded the case to the SACB where the Party could make its allegations as to perjured testimony.

11. In *Cole v. Young*, decided June 11, 1956, a preference-eligible veteran had been suspended from a classified civil service position on charges of close association with alleged Communists and an allegedly subversive organization, and later dismissed. The Court held the dismissal not authorized.

12. In *Mesarosh v. U.S.*, the Court again came to the aid of Steve Mesarosh, alias Steve Nelson. The convictions of Mesarosh and 4 others under the Smith Act were reversed, and new trials granted, because the Solicitor General believed that the testimony of one witness, Mazzei, given on occasions other than the trials of these defendants, was untrue. The Solicitor General merely asked that the trial court determine the credibility of Mazzei's testimony. Instead the Court brought to nought the government's efforts of more than 3 years duration to convict these defendants by the above reversal. (Oct. 10, 1956)

13. In *Leedom v. International Union of Mine, and Smelter Workers*, decided Dec. 10, 1956, the Court exploited a loophole in the Taft Hartley Act and also held that the National Labor Relations Board could take no administrative action to withhold from a union the benefits of the National Labor Relations Act even though a trial examiner had found that an officer of the union, Travis, had filed a false non-Communist affidavit.

14. On the same day, in a similar case, the Court held that benefits of the National Labor Relations Act could not be withheld from the Amalgamated Meat Cutters & Butcher Workmen of North America, AFL-CIO, even though one of its officers, Ben Gold, had been convicted in 1954 for a false non-Communist affidavit filed in 1950.

15. Not content with ruling in favor of Ben Gold's counsel and union as stated above, the Court on Jan. 28, 1957 made it a clean sweep for Gold, reversing his conviction for filing a non-Communist affidavit because of "official intrusion into the privacy of the jury."

16. In *U.S. v. Witkovich*, decided April 29, 1957, the Court ruled that the Attorney General could not, under the Immigration and Nationality Act of 1952, ask an alien against whom a final order of deportation had been outstanding for more than six months, questions relating to membership in and activities on behalf of the Communist Party.

17. In *Schware v. Board of Bar Examiners of New Mexico*, the Court held that the Supreme Court of N. Mexico had deprived Schware of due process in denying him the opportunity to qualify for the practice of law on the ground that he had failed to satisfy the Board of Bar Examiners as to his moral character. Schware had been a member of the Communist Party from 1932 to 1940, had used aliases to hide his Jewishness, had been arrested in Cal. on suspicion of criminal syndicalism, and had been charged with recruiting persons for the Loyalist (Communist) cause in Spain (May 6, 1957)

18. Not content with the Schware decision, the Court on the same day flagrantly invaded the sovereign prerogatives of the State of California in licensing practicing attorneys. It reversed the action of the Cal. Committee of Bar Examiners in refusing to admit one Raphael Konigsberg to prac-



Congressman James C. Davis

Congressman James Davis was not far wrong when he said; "It seems that the Communists cannot lose a case in the United States Supreme Court."

Georgia is doing something about the Court. What about the other States following in its footsteps?

tice, even though he had refused to answer questions directed at finding whether he was or ever had been a member of the Communist Party.

19. On May 13, 1957, the Court reversed the convictions of Kremen, Coleman and Stein for harboring Robert Thompson, convicted Smith Act defendant and bail jumper, on the ground that the defendants were victims of an illegal search and seizure.

20. On May 20, 1957, the Court affirmed the order of a court in St. Louis which struck out restrictions on Mrs. Antonia Sentner's Communist associations while under order of deportation.

21. On June 17, 1957, which clearly qualifies as a Black Monday, the Court ruled that John Stewart Service, one of the first targets of the late Joe McCarthy, had been wrongfully discharged from his State Dept. job by Secretary of State Dean Acheson in 1951 because of reasonable doubt as to his loyalty. This is the same Service who in 1945 gave confidential documents to Philip Jaffe of *Amerasia Magazine*.

22. Another blow delivered by the Court on the same day was much more damaging in its implications to the U.S. The convictions of 14 West Coast Communist leaders under the Smith Act were reversed. The Court enunciated a very narrow construction of the word "organize" in the Act, holding that it meant the mere establishment of the present Communist Party in this case, which took place in 1945, and that the 3-year statute of limitations barred any indictment on the "organize" section after 1948. The Court also criticized the charge to the jury for not specifying clearly that advocacy of violent overthrow, to be illegal, must be advocacy of action, and not just theoretical urging. Five of the fourteen defendants were acquitted, and the other nine were granted new trials.

23. On the same day the Court reversed the contempt conviction of labor leader John Watkins, who had refused to tell the House Un-American Activities Committee the names of persons he had known as Communists. In his opinion, Chief Justice Warren adopted standard Communist jargon, saying "there is no Congressional power to expose for the sake of exposure." Cases in lower courts which will probably be affected by this decision are those of Arthur Miller, who has already moved for reversal of his contempt conviction, and N.Y. Times employees Robert Shelton, Seymour Peck and Alden Whitman, who have also been convicted of contempt.

24. Likewise on June 17th the Court in *Sweezy v. Wyman*, reversed the New Hampshire contempt conviction of Prof. Paul Sweezy of the University of New Hampshire. Sweezy had been directed by the Supreme Court of that State to answer questions by Attorney General Wyman dur-

ing an inquiry into alleged subversive activities. Sweezy refused and was convicted.

25. The Court, meanwhile, on May 27, 1957, had agreed to review the legality of the sentences of Gil Green and Henry Winston, original Smith Act defendants. This action resulted in the release on bail of Robert Thompson, also an original Smith Act defendant.

26. On June 24, 1957, the Court reversed the conviction of Communist lawyer Harry Sacher for contempt of Congress. Sacher, one of the lawyers who made a travesty of the Smith Act trial in 1949 before Judge Medina, refused to tell the Senate Internal Security Subcommittee in 1955 if he was then or ever had been a member of the Communist Party.

27. Also on June 24, 1957, the Court set aside the contempt conviction of Abram Flaxer, former president of the now defunct United Public Workers of America. Flaxer had refused to give the same Subcommittee information it requested.

28. On the same day the Court set aside the contempt conviction of Lloyd Barenblatt, former teacher at the University of Michigan and Vassar College. He had refused to tell the House Committee whether he was a Communist Party member at the time he testified, or if he ever had been.

29. Continuing to nullify the government's efforts under the Smith Act, the Court, on June 24, 1957, vacated the conviction of Detroit's Communists Sol. L. Wellman, Nathan Kaplan, Thomas Dennies, Philip Schatz, Helen Winter and William Allan.

30. On the same day the Court ordered a new trial in Ohio for Anna Morgan, convicted of contempt for invoking the privilege against self-incrimination 37 times before the Ohio State Un-American Activities Commission. (1952)

31. Also on the same day the Court vacated the Ohio conviction of 3 other defendants, Raley, Stern and Brown, who had refused to answer before the same Commission questions about "suspected Communist and subversive activities in Ohio."

It should be noted that over half of the above cases relate to JEWS. Case 22 includes Sternberg, Richmond, Schneiderman, Starvus Stack, Churnin Kusnitz. Other cases include Green, Gold, Mesarosh, Witkovich, Schware, Konigsberg, Kremen, Stein, Sentner, Sacher, Barenblatt, Flaxer, Wellman, Kaplan, Schatz, Winter, and Stern—**ALL JEWS!**

The foregoing record proves conclusively that the present majority of the Supreme Court is willfully subordinating the rights of the American public to the so-called "individual liberties" of traitors, security risks and other dubious characters. The rights under natural law for the people of a nation through its government to protect itself are being trampled upon by uncurbed judicial despots.

Congressmen Davis and Flynt of Georgia have made appropriate comments on the recent activities of the Court, as reported on page 8795 of the June 20, 1957, issue of the Congressional Record.

Representative Davis said:

"It seems that if there is one thing well settled, it is that a Communist cannot lose a case in the United States Supreme Court."

Representative Flynt is even more forceful, saying:

"Mr. Speaker, it is evident and it is clear that unless some action is taken to curb and check the unwarranted abuses of the Anglo-American system of jurisprudence by the present majority of the Supreme Court of the United States, they will gradually or precipitously devastate and shatter our Constitution, our laws, our statutes, the Congress of the United States, indeed our very Nation itself."

The future damage from the Court's ukases may be even greater than what has been described here. The Court has agreed to review the convictions of Claude Light-

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